

Remarks/Arguments

Fourteen claims remain in this application. Claims 1, 4, 7, 8, 11 and 14 have been amended. The examiner has acknowledged that claims 2, 7, 9 and 14 are directed to allowable subject matter.

Claims 1 and 8 have been amended to add language suggested by Examiner so that the claimed invention is more clear and definite. Specifically, the prepositional phrase "during normal use" was inserted after the word "tensioned" in line 4 of Claims 1 and 8. Claims 1 and 8 also eliminate unnecessary claim language in lines 7 and 8, respectively, and adds the word "laterally" in lines 8 and 9, respectively, to more precisely describe the position of the second end of the cantilever. Claims 4, 7, 11 and 14 were amended to more clearly and accurately describe the position and location of the strap bar. Applicant has considered Examiner's observation that "the strap bar is spaced radially from the shaft" but believes the language added to amended Claims 4, 7, 11 and 14 is more clear and definite as to the location and position of the strap bar.

The Examiner rejected Claims 1,3,5,6,8,10, 12, and 13 under 35 U.S.C. § 103 as being unpatentable in view of Hunt (US 5,853,164) and Galland (US 4,311,288). Applicant respectfully disagrees with the examiner's rejection. Examiner correctly cites Hunt '164 as disclosing the strap winch for which the claimed winding apparatus is intended. However, the winding apparatus of Galland '288 does not disclose or suggest the claimed winding apparatus of this application and cannot be combined with the strap winch of Hunt '164. Neither Galland '288 or Hunt '164 suggest the idea of a cantilever, which is adapted to be mountable to a strap winch to position a removable crank laterally away from the trailer bed so that a cargo strap could be wound around the crank as in the claimed invention.

The cantilever of the claimed winding apparatus is intended to be used on strap winches of the type disclosed in Hunt '164 with one end seated between the drum and the U-shaped bracket so that the opposite end of the cantilever extends laterally beyond the trailer bed. The strap winder of Galland '288 is a separate and independent winding component distinct from the strap winch of Hunt '164. While Galland '288 discloses a strap winding apparatus, it does not disclose or even suggest its use in conjunction with other strap winches as in the claimed invention. In Galland '288, stanchion 10 is not used as a

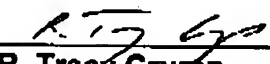
cantilever, but as "the upright mounting of the strap winding mechanism." *Galland '288*, Col. 2, Lines 56-59. No where does *Galland '288* suggest the use of stanchion 10 as a cantilever.

Furthermore, stanchion 10 cannot be mounted to a strap winch of the type disclosed in *Hunt '164*. *Galland '288* discloses that stanchion 10 is securely mounted "to any stake hole at the edge of the truck bed." *Galland '288*, Col. 3, Lines 1-3. Nothing in *Galland '288* suggests that stanchion 10 could be secured to the strap winch of *Hunt '164*. In fact, to combine the stanchion of *Galland* and the strap winch of *Hunt*, stanchion 10 would require mechanical modification outside the teachings of *Galland* in order to use it as a cantilever with the strap winch of *Hunt*.

Since the winding apparatus of Claims 1 and 8 is not obvious in light of *Hunt '164* and *Galland '288*, Applicant considers the grounds for Examiner's rejection of Claims 4 and 11, which are dependent on Claims 1 and 8, mute.

In conclusion, this invention is distinguished from the cited art. The cited art does not disclose or suggest the winding apparatus of the claimed invention. The Applicant respectfully submits that amended Claims 1-14 are now in acceptable form for a notice of allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,


R. Tracy Crump
PTO Reg. No. 37,301
P.O. Box 604
New Carlisle, IN 46552
574/654-8222

Date: July 5, 2005

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R. Tracy Crump


(Date)